

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Official Action dated 29 February 2008. Responsive to the rejections made in the Official Action, Claims 1-8, 10 and 11 have been amended; Claims 9 and 12 have been cancelled.

The Examiner rejected Claims 1, 3, 8, 10-11 under 35 U.S.C. §102(b) as being anticipated by Chen, et al., U.S. Patent Application Publication No. 2003/0050062. In addition, Claims 2 and 4-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chen, et.al. in view of Wall, U.S. Patent No. 6,640,086. Also, Claims 9 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Chen, et al. in view of Chen, et al., U.S. Patent Application Publication No. 2003/0054810.

A brief synopsis of the subject Patent Application, in light of the amended Claims, will first be presented prior to discussing the rejections made by the Examiner. The subject Patent Application is directed to an interactive 2-way transfer multimedia messaging service method. The method comprises steps which include, among other things, exchanging multimedia content data between a user and a service provider, located for instance on the internet. A multimedia messaging service center, in conjunction with a dispatcher and common service platform, obtain the requested information from the user, for instance, on a mobile

phone, and obtain the requested multimedia content from the service provider.

Among the communication protocols for sending and receiving the multimedia content, the step of contacting the service provider is performed using eXtensible Markup Language (XML). Also, the step of obtaining the multimedia content from the service provider and sending the reply to the user is performed using XML. In another embodiment, Hypertext Transfer Protocol (HTTP) is used as the communication protocol.

The Examiner has cited the Chen, et al. Patent Publication 2003/0050062 for disclosing the elements of Claim 1. Chen, et al. is directed to personalized multimedia services using a mobile service platform. The Examiner also cited another related Chen, et al. reference U.S. Patent Publication 2003/0054810, with respect to the rejections of Claims 9 and 12. The Examiner noted that the Chen, et al. '0062 reference fails to explicitly teach that the service dispatcher and the common service platform use XML to transmit information. The Examiner then stated that Chen, et al. '4810 does teach this use of XML, and cited paragraphs [0062, 0013, and 0148]. Chen '4810 is directed to a mobile service platform including a plurality of gateways interacting with a plurality of servers for providing a platform that allows mobile devices to communicate with each other and to access internet content and services. However, the Examiner's attention is respectfully drawn to paragraph [0062], in which "a given interface infolet 306

retrieves information from...XML files or databases.” This passage reflects the fact that the content of the retrieved data is in XML format; however, the transmission of that content is nowhere disclosed to use XML. Also, the documents referred to in paragraph [0013] are in XML. Again, the XML discussed with respect to paragraph [0148] and also [0150] refers to content of services and not the transmission or communication protocol.

The Examiner had also cited the Wall reference with respect to the rejection of Claims 2, and 4-7. The Examiner noted that Chen, et al. fails to disclose the steps of Claim 1 are repeated continuously until the user stops sending multimedia messages. However, Wall does not disclose that the sending and receiving of those messages use the XML communication protocol.

Therefore, since the Chen, et al. ‘0062 reference fails to teach “...the step of contacting the service provider is performed using eXtensible Markup Language (XML); and ...wherein the step of obtaining the multimedia content from the service provider and sending the reply to the user is performed by using XML.”, as is now defined by newly amended independent Claim 1, it is believed that Chen, et al. ‘0062 cannot anticipate the invention of the subject Patent Application.

Further, neither Chen, et al. '0062, nor Wall and Chen, et al. '4810, taken alone or in combination, teach the unique combination of elements found in the Claims of the subject Patent Application, and therefore it is believed that they cannot render obvious the invention of the subject Patent Application.

It is believed that the dependent Claims provide further patentable distinction, but are at least patentably distinct for the same reasons as the Claims upon which they are respectively dependent.

For all the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

If there are any charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,
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